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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6659**
Yoshio UMEZAWA et al. : Attorney Docket No. 2006_1324A
Serial No. 10/589,255 : Group Art Unit 1646
Filed January 18, 2007 :

PROBE FOR DETECTING NUCLEAR
RECEPTOR AGONIST OR ANTAGONIST
AND METHOD FOR SCREENING AGONIST
OR ANTAGONIST TO NUCLEAR
RECEPTOR WITH THE USE OF THE SAME : **Mail Stop: ISSUE FEE**

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. 1.181(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

It is hereby petitioned that the holding of abandonment in the above-identified application dated July 7, 2008, be withdrawn.

The facts necessitating this petition are as follows:

1. A Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures was mailed September 10, 2007. This Notification had a two month shortened statutory period for response.
2. On November 13, 2007, i.e. within this shortened statutory period for response, Applicants filed a response to the Notification including a revised Sequence Listing in computer and paper form.
3. In support of the fact of such filing of a response to the Notice, enclosed is a printout from PAIR of the first page of the Preliminary Amendment with a date stamp indicating it was received by the PTO on November 13, 2007. It is noted that November 10 and 11, 2007 fell on a

Saturday and Sunday. It is further noted that November 12, 2007 was a Federal Holiday. Thus, this Preliminary Amendment was filed timely.

4. It is further noted that no further communications regarding this case were received from the USPTO. Further, there are no communications noted as being sent from the USPTO on the private PAIR website.

As is apparent from the above, the holding of abandonment of this application is incorrect. Thus, there is no abandonment in fact of this application, since the response to the September 10, 2007 Notification was timely filed.

In view of the above, it is requested that the holding abandonment be withdrawn.

Respectfully submitted,

Yoshio UMEZAWA et al.

By: 

William R. Schmidt, II
Registration No. 58,327
Attorney for Applicants

WRS/lc
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 16, 2008



WC

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,255	Yoshio Umezawa	2006_1324A

513
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

INTERNATIONAL APPLICATION NO.	
PCT/JP05/02660	
I.A. FILING DATE	PRIORITY DATE
02/14/2005	02/12/2004

CONFIRMATION NO. 6659
371 ABANDONMENT/TERMINATION
LETTER



Date Mailed: 07/07/2008

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09/10/2007 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

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JUL - 8 2008
WENDEROTH, LIND & PONACK



AP16 Rec'd PCT/PTO 13 NOV 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6659**
Yoshio UMEZAWA et al. : **Attorney Docket No. 2006_1324A**
Serial No. 10/589,255 :
Filed January 18, 2007 : **Examiner: not yet assigned**
PROBE FOR DETECTING NUCLEAR : Mail Stop: Missing parts
RECEPTOR AGONIST OR ANTAGONIST
AND METHOD FOR SCREENING AGONIST
OR ANTAGONIST TO NUCLEAR
RECEPTOR WITH THE USE OF THE SAME

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for Patent Applications
Containing Nucleotide and/or Amino Acid Sequence Disclosures dated September 10, 2007,
Applicants herein provide the following amendments and remarks.

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE FEES
FOR THIS PAPER TO DEPOSIT ACCOUNT 23-0975

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